

REMARKS

Claims 2-6, 9-11, 13, 14, 17-19, 29, and 30 are pending in the present application. Claims 2, 4, 9, and 10 have been amended herein to delete objected language. Applicants reserve the right to reintroduce the canceled, objected language in another application without prejudice. No new matter has been added. Upon entry of the present amendment, claims 2-6, 9-11, 13, 14, 17-19, 29, and 30 will be pending. **Because the amendments to the claims remove issues for appeal (i.e., enablement and indefiniteness), Applicants respectfully request that they be entered into the record. See, M.P.E.P. §714.12.**

As a preliminary matter, Applicants thank the Examiner for indicating that claims 11, 18, and 19 are allowed (see, Final Rejection at page 1).

I. The Claimed Invention Is Sufficiently Enabled

Claims 2-6, 9, 10, 13, and 17 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to provide an enabling disclosure. The Office mistakenly asserts that “solvates are not enabled” (see, page 2 of the Final Rejection) and that “...the evidence of record is that the compounds do not form solvates” (see, page 3 of the Final Rejection). Although Applicants disagree with the Office’s statements regarding solvates, solely to advance prosecution of the present application, the phrase “solvate, or a solvate of such a salt” has been deleted from the claims. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph be withdrawn.

II. The Claims Are Clear And Definite

Claims 2-6, 9, 10, 13, 14, 17, 29, and 30 are rejected under 35 U.S.C. §112, first and second paragraphs, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention and/or enablement as it pertains to 4-10 membered aromatic rings. Solely to advance prosecution of the present application, the objected phrase has been deleted from the claims. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, first and second paragraphs be withdrawn.

III. Conclusion

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. An early notice of the same is earnestly solicited. The Office is invited to contact Applicants' undersigned representative at 610.640.7859 if there are any questions regarding Applicants' claimed invention.

The Commissioner is hereby authorized to debit any underpayment of fee due or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

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